

AMENDED IN SENATE JULY 21, 2003  
AMENDED IN ASSEMBLY APRIL 29, 2003  
AMENDED IN ASSEMBLY APRIL 9, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1498**

**Introduced by Assembly Member Wiggins**

February 21, 2003

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An act to amend Sections 32207, 32320, 32321, 32324, 32325, 32352.5, 32423, 32721, 32722, 32932, 32942, and 32952 of, and to repeal Sections 32213, 32214, 32700, 32701, 32702, 32703, 32710, 32711, 32909, and 32928 of, the Financial Code, and to amend Section 20057 of the Government Code, relating to financial institutions, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1498, as amended, Wiggins. State Assistance Fund for Enterprise, Business, and Industrial Development Corporation.

(1) Existing law creates the nonprofit State Assistance Fund for Enterprise, Business, and Industrial Development Corporation. Existing law establishes a 7-member board of directors of the corporation. Official and public directors of the board serve without compensation but may receive per diem payment of up to \$50 per calendar day. Existing law authorizes the board to consider and adopt rules for the acceptance of grants if, among other things, the primary purpose of a grant administered by the corporation is to assist the development of the alternative energy industry in this state.

This bill would revise the membership of the board. The bill would change the per diem amount available to directors to the rate established by the state. The bill would delete the requirement that grants considered for acceptance by the board be for the primary purpose of assisting the development of the alternative energy industry in this state. The bill would repeal various provisions relating to alternative energy research and make related changes.

(2) The Public Employees' Retirement Law authorizes various public agencies, as defined, to enter into contracts for participation in the Public Employees' Retirement System, upon obtaining a specified advisory opinion from the United States Department of Labor.

This bill would authorize the State Assistance Fund for Enterprise, Business, and Industrial Development Corporation to enter into a contract for participation in the system upon obtaining that advisory opinion. Contributions are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund. By increasing member contributions to that fund, the bill would make an appropriation.

(3) *This bill would incorporate additional changes to Section 20057 of the Government Code proposed by AB 1584, to be operative if AB 1584 and this bill become effective on or before January 1, 2004, and this bill is enacted last.*

(4) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 32207 of the Financial Code is amended
- 2 to read:
- 3 32207. "Corporation" means the State Assistance Fund for
- 4 Enterprise Business and Industrial Development Corporation.
- 5 SEC. 2. Section 32213 of the Financial Code is repealed.
- 6 SEC. 3. Section 32214 of the Financial Code is repealed.
- 7 SEC. 5. Section 32320 of the Financial Code is amended to
- 8 read:
- 9 32320. Except as provided in Sections 32325 and 32352.5,
- 10 the board of directors of the corporation shall consist of six
- 11 members, two official and four public directors.



SEC. 6. Section 32321 of the Financial Code is amended to read:

32321. (a) The official members of the board shall be:

(1) The Secretary of Trade and Commerce, or his or her designee.

(2) One member of the Energy Commission, selected and appointed by the members of the Energy Commission.

(b) The public members of the board shall be:

(1) One member selected and appointed by the Senate Rules Committee.

(2) One member selected and appointed by the Speaker of the Assembly.

(3) Two members selected and appointed by the Governor as follows:

(A) One member with a minimum three years' experience as an owner, partner, officer, or employee of a California-based small business.

(B) One member with a minimum three years' experience as an officer or employee of a financial institution.

SEC. 7. Section 32324 of the Financial Code is amended to read:

32324. (a) The official directors shall serve without compensation, except that they shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, or at the discretion of the board, may receive a reasonable per diem payment and mileage charge as reimbursement for living and traveling expenses incurred in the performance of duties away from their principal areas of residence. The amount of such per diem payment shall not exceed the rate established by the state for any calendar day. No director shall receive per diem both in the course of his official duties and from the corporation for the same calendar day.

(b) All other directors may, at the discretion of the board, be paid a stipend in addition to reimbursement for their actual and necessary expenses incurred in the performance of their duties or reasonable per diem payment and mileage charge. The amount of any per diem payment shall not exceed the rate established by the state for any calendar day. The board shall determine the amount of the stipend received by public directors, provided, however, that such stipend shall not exceed one hundred dollars (\$100) for any

1 calendar day. Additionally, public directors may not receive  
2 stipends for more than 25 days in any calendar year.

3 SEC. 8. Section 32325 of the Financial Code is amended to  
4 read:

5 32325. If the corporation becomes a federal Community  
6 Development Financial Institution (CDFI), in addition to the  
7 official and public directors provided for in Section 32321, the  
8 board may select not more than three private directors to assist the  
9 board in managing the corporation, subject to the following:

10 (a) Private directors shall serve on the board in an advisory and  
11 voluntary capacity.

12 (b) Each private director shall be knowledgeable about the  
13 CDFI target market.

14 (c) At the discretion of the board, private directors shall be  
15 eligible to receive compensation, subject to the limitations  
16 contained in subdivision (b) of Section 32324.

17 SEC. 9. Section 32352.5 of the Financial Code is amended to  
18 read:

19 32352.5. (a) If the corporation becomes a small business  
20 development corporation pursuant to Section 32352, the official  
21 and public members of the board of directors shall, within 30 days  
22 thereafter, appoint three additional directors to the board, who  
23 shall be residents of the region to be served by the corporation  
24 when acting as a small business development corporation.

25 (b) For purposes of this section, the three regional directors  
26 appointed pursuant to subdivision (a) shall be appointed by the  
27 official and public members of the board as full voting members  
28 of the board.

29 SEC. 10. Section 32423 of the Financial Code is amended to  
30 read:

31 32423. The proceeds of the sale of government guaranteed  
32 securities shall be allocated to the accounts of the corporation in  
33 the following manner:

34 (a) That portion of the proceeds of the sale of government  
35 guaranteed securities which represents the purchase of the  
36 principal amount of the securities shall be credited to the enterprise  
37 loan fund of the corporation; and

38 (b) That portion of the proceeds of the sale of government  
39 guaranteed securities which represents the purchase of the future

1 interest earnings of the securities shall be credited to the general  
2 operating account of the corporation.

3 SEC. 11. Section 32700 of the Financial Code is repealed.

4 SEC. 12. Section 32701 of the Financial Code is repealed.

5 SEC. 13. Section 32702 of the Financial Code is repealed.

6 SEC. 14. Section 32703 of the Financial Code is repealed.

7 SEC. 15. Section 32710 of the Financial Code is repealed.

8 SEC. 16. Section 32711 of the Financial Code is repealed.

9 SEC. 17. Section 32721 of the Financial Code is amended to  
10 read:

11 32721. The board may consider and adopt rules for the  
12 acceptance and disbursement of grants, provided, however, that  
13 the cost of administering any grant, less any payment for grant  
14 administration made to the corporation by the granting authority,  
15 shall in no case exceed 5 percent of the operating budget of the  
16 corporation in any calendar year.

17 SEC. 18. Section 32722 of the Financial Code is amended to  
18 read:

19 32722. The corporation may participate with any federal or  
20 state governmental agency, department, board, bureau, or office in  
21 any program which is intended to assist the development of the  
22 alternative energy industry or to encourage economic  
23 development.

24 SEC. 19. Section 32909 of the Financial Code is repealed.

25 SEC. 20. Section 32928 of the Financial Code is repealed.

26 SEC. 21. Section 32932 of the Financial Code is amended to  
27 read:

28 32932. Loans made under this chapter to small businesses  
29 shall be at a fixed rate of interest that shall not exceed the  
30 prevailing prime interest rate as published in Wall Street Journal.

31 SEC. 22. Section 32942 of the Financial Code is amended to  
32 read:

33 32942. Loans shall be approved according to criteria  
34 established by a credit committee, chaired by the chief financial  
35 officer of the corporation or that officer's designee. The other  
36 members of the committee shall be the member of the board  
37 appointed by the Energy Commission and the corporate president.

38 SEC. 23. Section 32952 of the Financial Code is amended to  
39 read:

1 32952. The corporation shall develop a program to assist  
2 small business owners in reducing their energy costs by providing  
3 technical assistance and information through local chambers of  
4 commerce and business organizations.

5 SEC. 24. Section 20057 of the Government Code is amended  
6 to read:

7 20057. “Public agency” also includes the following:

8 (a) The Commandant, Veterans’ Home of California, with  
9 respect to employees of the Veterans’ Home Exchange and other  
10 post fund activities whose compensation is paid from the post fund  
11 of the Veterans’ Home of California.

12 (b) Any auxiliary organization operating pursuant to Chapter  
13 7 (commencing with Section 89900) of Part 55 of the Education  
14 Code and in conformity with regulations adopted by the Trustees  
15 of the California State University and any auxiliary organization  
16 operating pursuant to Article 6 (commencing with Section 72670)  
17 of Chapter 6 of Part 45 of the Education Code and in conformity  
18 with regulations adopted by the Board of Governors of the  
19 California Community Colleges.

20 (c) Any student body or nonprofit organization composed  
21 exclusively of students of the California State University or  
22 community college or of members of the faculty of the California  
23 State University or community college, or both, and established  
24 for the purpose of providing essential activities related to, but not  
25 normally included as a part of, the regular instructional program  
26 of the California State University or community college.

27 (d) A state organization of governing boards of school districts,  
28 the primary purpose of which is the advancing of public education  
29 through research and investigation.

30 (e) Any nonprofit corporation whose membership is confined  
31 to public agencies as defined in Section 20056.

32 (f) A section of the California Interscholastic Federation.

33 (g) Any credit union incorporated under Division 5  
34 (commencing with Section 14000) of the Financial Code, or  
35 incorporated pursuant to federal law, with 95 percent of its  
36 membership limited to employees who are members of or retired  
37 members of this system or the State Teachers’ Retirement System  
38 Plan, and their immediate families, and employees of any credit  
39 union. For the purposes of this subdivision, “immediate family”  
40 means those persons related by blood or marriage who reside in the

household of a member of the credit union who is a member of or retired member of this system or the State Teachers' Retirement System Plan. The credit union shall pay any costs that are in addition to the normal charges required to enter into a contract with the board. All the payments made by the credit union that are in addition to the normal charges required shall be added to the total amount appropriated by the Budget Act for the administrative expense of this system. For purposes of this subdivision, a credit union ~~shall not be~~ *is not* deemed to be a public agency unless it has entered into a contract with the board pursuant to Chapter 5 (commencing with Section 20460) prior to January 1, 1988. After January 1, 1988, the board ~~shall~~ *may* not enter into a contract with any credit union as a public agency.

(h) Any county superintendent of schools that was a contracting agency on July 1, 1983, and any school district or community college district that was a contracting agency with respect to local policemen, as defined in Section 20430, on July 1, 1983.

(i) Any school district or community college district that has established a police department, pursuant to Section 39670 or 72330 of the Education Code, and has entered into a contract with the board on or after January 1, 1990, for school safety members, as defined in Section 20444.

(j) A nonprofit corporation formed for the primary purpose of assisting the development and expansion of the educational, research, and scientific activities of a district agricultural association formed pursuant to Part 3 (commencing with Section 3801) of Division 3 of the Food and Agricultural Code, and the nonprofit corporation described in the California State Exposition and Fair Law (former Article 3 (commencing with Section 3551) of Chapter 3 of Part 2 of Division 3 of the Food and Agricultural Code, as added by Chapter 15 of the Statutes of 1967).

(k) (1) A public or private nonprofit corporation that operates a regional center for the developmentally disabled in accordance with Chapter 5 (commencing with Section 4620) of Division 4.5 of the Welfare and Institutions Code.

(2) A public or private nonprofit corporation, exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, that operates a rehabilitation facility for the developmentally disabled and provides services under a contract with either (A) a



1 regional center for the developmentally disabled, pursuant to  
2 paragraph (3) of subdivision (a) of Section 4648 of the Welfare and  
3 Institutions Code, or (B) the Department of Rehabilitation,  
4 pursuant to Chapter 4.5 (commencing with Section 19350) of Part  
5 2 of Division 10 of the Welfare and Institutions Code, upon  
6 obtaining a written advisory opinion from the United States  
7 Department of Labor as described in Section 20057.1.

8 (3) A public or private nonprofit corporation described in this  
9 subdivision shall be deemed a “public agency” only for purposes  
10 of this part and only with respect to the employees of the regional  
11 center or the rehabilitation facility described in this subdivision.  
12 Notwithstanding any other provision of this part, the agency may  
13 elect by appropriate provision or amendment of its contract not to  
14 provide credit for service prior to the effective date of its contract.

15 (l) Independent data-processing centers formed pursuant to  
16 former Article 2 (commencing with Section 10550) of Chapter 6  
17 of Part 7 of the Education Code, as it read on December 31, 1990.  
18 An agency included pursuant to this subdivision shall only provide  
19 benefits that are identical to those provided to a school member.

20 (m) Any local agency formation commission.

21 (n) A nonprofit corporation organized for the purpose of and  
22 engaged in conducting a citrus fruit fair as defined in Section 4603  
23 of the Food and Agricultural Code.

24 (o) (1) A public or private nonprofit corporation that operates  
25 an independent living center providing services to severely  
26 handicapped people and established pursuant to federal P.L.  
27 93-112, that receives the approval of the board, and that provides  
28 at least three of the following services:

29 (A) Assisting severely handicapped people to obtain personal  
30 attendants who provide in-home supportive services.

31 (B) Locating and distributing information about housing in the  
32 community usable by severely handicapped people.

33 (C) Providing information about financial resources available  
34 through federal, state and local government, and private and public  
35 agencies to pay all or part of the cost of the in-home supportive  
36 services and other services needed by severely handicapped  
37 people.

38 (D) Counseling by people with similar disabilities to aid the  
39 adjustment of severely handicapped people to handicaps.



1 (E) Operation of vans or buses equipped with wheelchair lifts  
2 to provide accessible transportation to otherwise unreachable  
3 locations in the community where services are available to  
4 severely handicapped people.

5 (2) A public or private nonprofit corporation described in this  
6 subdivision shall be deemed a “public agency” only for purposes  
7 of this part and only with respect to the employees of the  
8 independent living center.

9 (3) Notwithstanding any other provisions of this part, the  
10 public or private nonprofit corporation may elect by appropriate  
11 provision or amendment of its contract not to provide credit for  
12 service prior to the effective date of its contract.

13 (p) A hospital that is managed by a city legislative body in  
14 accordance with Article 8 (commencing with Section 37650) of  
15 Chapter 5 of Part 2 of Division 3 of Title 4.

16 (q) (1) Except as provided in paragraph (2), “public agency”  
17 also includes any entity formed pursuant to the Federal Job  
18 Training Partnership Act of 1982 (29 U.S.C. Sec. 1501 et seq.) or  
19 Division 8 (commencing with Section 15000) of the  
20 Unemployment Insurance Code.

21 (2) “Public agency,” for purposes of this part, does not include  
22 a private industry council as set forth in the Federal Job Training  
23 Partnership Act of 1982 (29 U.S.C. Sec. 1501 et seq.) or Division  
24 8 (commencing with Section 15000) of the Unemployment  
25 Insurance Code.

26 (r) ~~The Tahoe-transportation-district~~ *Transportation District*  
27 that is established by Article IX of Section 66801.

28 (s) The California Firefighter Joint Apprenticeship Program  
29 formed pursuant to Chapter 4 (commencing with Section 3070) of  
30 Division 3 of the Labor Code.

31 (t) A public health department or district that is managed by the  
32 governing body of a county of the 15th class, as defined by  
33 Sections 28020 and 28036, as amended by Chapter 1204 of the  
34 Statutes of 1971.

35 (u) A nonprofit corporation or association conducting an  
36 agricultural fair pursuant to Section 25905 may enter into a  
37 contract with the board for the participation of its employees as  
38 members of this system, upon obtaining a written advisory opinion  
39 from the United States Department of Labor as described in

1 Section 20057.1. The nonprofit corporation or association shall be  
2 deemed a “public agency” only for this purpose.

3 (v) An auxiliary organization established pursuant to Article  
4 2.5 (commencing with Section 69522) of Chapter 2 of Part 42 of  
5 the Education Code upon obtaining a written advisory opinion  
6 from the United States Department of Labor as described in  
7 Section 20057.1. The auxiliary organization is a “public agency”  
8 only for this purpose.

9 (w) The Western Association of Schools and Colleges upon  
10 obtaining a written advisory opinion from the United States  
11 Department of Labor as described in Section 20057.1. The  
12 association shall be deemed a “public agency” only for this  
13 purpose.

14 (x) The State Assistance Fund for Enterprise, Business, and  
15 Industrial Development Corporation upon obtaining a written  
16 advisory opinion from the United States Department of Labor as  
17 described in Section 20057.1.

18 ~~SEC. 25.—~~

19 *SEC. 24.5. Section 20057 of the Government Code is*  
20 *amended to read:*

21 20057. “Public agency” also includes the following:

22 (a) The Commandant, Veterans’ Home of California, with  
23 respect to employees of the Veterans’ Home Exchange and other  
24 post fund activities whose compensation is paid from the post fund  
25 of the Veterans’ Home of California.

26 (b) Any auxiliary organization operating pursuant to Chapter  
27 7 (commencing with Section 89900) of Part 55 of the Education  
28 Code and in conformity with regulations adopted by the Trustees  
29 of the California State University and any auxiliary organization  
30 operating pursuant to Article 6 (commencing with Section 72670)  
31 of Chapter 6 of Part 45 of the Education Code and in conformity  
32 with regulations adopted by the Board of Governors of the  
33 California Community Colleges.

34 (c) Any student body or nonprofit organization composed  
35 exclusively of students of the California State University or  
36 community college or of members of the faculty of the California  
37 State University or community college, or both, and established  
38 for the purpose of providing essential activities related to, but not  
39 normally included as a part of, the regular instructional program  
40 of the California State University or community college.

1 (d) A state organization of governing boards of school districts,  
2 the primary purpose of which is the advancing of public education  
3 through research and investigation.

4 (e) Any nonprofit corporation whose membership is confined  
5 to public agencies as defined in Section 20056.

6 (f) A section of the California Interscholastic Federation.

7 (g) Any credit union incorporated under Division 5  
8 (commencing with Section 14000) of the Financial Code, or  
9 incorporated pursuant to federal law, with 95 percent of its  
10 membership limited to employees who are members of or retired  
11 members of this system or the State Teachers' Retirement ~~System~~  
12 *Plan*, and their immediate families, and employees of any credit  
13 union. For the purposes of this subdivision, "immediate family"  
14 means those persons related by blood or marriage who reside in the  
15 household of a member of the credit union who is a member of or  
16 retired member of this system or the State Teachers' Retirement  
17 ~~System~~ *Plan*. The credit union shall pay any costs that are in  
18 addition to the normal charges required to enter into a contract with  
19 the board. All the payments made by the credit union that are in  
20 addition to the normal charges required shall be added to the total  
21 amount appropriated by the Budget Act for the administrative  
22 expense of this system. For purposes of this subdivision, a credit  
23 union ~~shall~~ *is not be* deemed to be a public agency unless it has  
24 entered into a contract with the board pursuant to Chapter 5  
25 (commencing with Section 20460) prior to January 1, 1988. After  
26 January 1, 1988, the board ~~shall~~ *may* not enter into a contract with  
27 any credit union as a public agency.

28 (h) Any county superintendent of schools that was a  
29 contracting agency on July 1, 1983, and any school district or  
30 community college district that was a contracting agency with  
31 respect to local policemen, as defined in Section 20430, on July 1,  
32 1983.

33 (i) Any school district or community college district that has  
34 established a police department, pursuant to Section 39670 or  
35 72330 of the Education Code, and has entered into a contract with  
36 the board on or after January 1, 1990, for school safety members,  
37 as defined in Section 20444.

38 (j) A nonprofit corporation formed for the primary purpose of  
39 assisting the development and expansion of the educational,  
40 research, and scientific activities of a district agricultural

1 association formed pursuant to Part 3 (commencing with Section  
2 3801) of Division 3 of the Food and Agricultural Code, and the  
3 nonprofit corporation described in the California State Exposition  
4 and Fair Law (former Article 3 (commencing with Section 3551)  
5 of Chapter 3 of Part 2 of Division 3 of the Food and Agricultural  
6 Code, as added by Chapter 15 of the Statutes of 1967).

7 (k) (1) A public or private nonprofit corporation that operates  
8 a regional center for the developmentally disabled in accordance  
9 with Chapter 5 (commencing with Section 4620) of Division 4.5  
10 of the Welfare and Institutions Code.

11 (2) A public or private nonprofit corporation, exempt from  
12 taxation under Section 501(c)(3) of the Internal Revenue Code,  
13 that operates a rehabilitation facility for the developmentally  
14 disabled and provides services under a contract with either (A) a  
15 regional center for the developmentally disabled, pursuant to  
16 paragraph (3) of subdivision (a) of Section 4648 of the Welfare and  
17 Institutions Code, or (B) the Department of Rehabilitation,  
18 pursuant to Chapter 4.5 (commencing with Section 19350) of Part  
19 2 of Division 10 of the Welfare and Institutions Code, upon  
20 obtaining a written advisory opinion from the United States  
21 Department of Labor as described in Section 20057.1.

22 (3) A public or private nonprofit corporation described in this  
23 subdivision shall be deemed a “public agency” only for purposes  
24 of this part and only with respect to the employees of the regional  
25 center or the rehabilitation facility described in this subdivision.  
26 Notwithstanding any other provision of this part, the agency may  
27 elect by appropriate provision or amendment of its contract not to  
28 provide credit for service prior to the effective date of its contract.

29 (l) Independent data-processing centers formed pursuant to  
30 former Article 2 (commencing with Section 10550) of Chapter 6  
31 of Part 7 of the Education Code, as it read on December 31, 1990.  
32 An agency included pursuant to this subdivision shall only provide  
33 benefits that are identical to those provided to a school member.

34 (m) Any local agency formation commission.

35 (n) A nonprofit corporation organized for the purpose of and  
36 engaged in conducting a citrus fruit fair as defined in Section 4603  
37 of the Food and Agricultural Code.

38 (o) (1) A public or private nonprofit corporation that operates  
39 an independent living center providing services to severely  
40 handicapped people and established pursuant to federal P.L.

1 93-112, that receives the approval of the board, and that provides  
2 at least three of the following services:

3 (A) Assisting severely handicapped people to obtain personal  
4 attendants who provide in-home supportive services.

5 (B) Locating and distributing information about housing in the  
6 community usable by severely handicapped people.

7 (C) Providing information about financial resources available  
8 through federal, state and local government, and private and public  
9 agencies to pay all or part of the cost of the in-home supportive  
10 services and other services needed by severely handicapped  
11 people.

12 (D) Counseling by people with similar disabilities to aid the  
13 adjustment of severely handicapped people to handicaps.

14 (E) Operation of vans or buses equipped with wheelchair lifts  
15 to provide accessible transportation to otherwise unreachable  
16 locations in the community where services are available to  
17 severely handicapped people.

18 (2) A public or private nonprofit corporation described in this  
19 subdivision shall be deemed a “public agency” only for purposes  
20 of this part and only with respect to the employees of the  
21 independent living center.

22 (3) Notwithstanding any other provisions of this part, the  
23 public or private nonprofit corporation may elect by appropriate  
24 provision or amendment of its contract not to provide credit for  
25 service prior to the effective date of its contract.

26 (p) A hospital that is managed by a city legislative body in  
27 accordance with Article 8 (commencing with Section 37650) of  
28 Chapter 5 of Part 2 of Division 3 of Title 4.

29 (q) ~~(1) Except as provided in paragraph (2), “public agency”~~  
30 ~~also includes any entity formed pursuant to the Federal Job~~  
31 ~~Training Partnership Act of 1982 (29 U.S.C. Sec. 1501 et seq.) or~~  
32 ~~Division 8 (commencing with Section 15000) of the~~  
33 ~~Unemployment Insurance Code.~~

34 ~~(2) “Public agency,” for purposes of this part, does not include~~  
35 ~~a private industry council as set forth in the Federal Job Training~~  
36 ~~Partnership Act of 1982 (29 U.S.C. Sec. 1501 et seq.) or Division~~  
37 ~~8 (commencing with Section 15000) of the Unemployment~~  
38 ~~Insurance Code.~~

39 ~~(r) The Tahoe transportation district Transportation District~~  
40 ~~that is established by Article IX of Section 66801.~~

1     ~~(s)~~

2     (r) The California Firefighter Joint Apprenticeship Program  
3 formed pursuant to Chapter 4 (commencing with Section 3070) of  
4 Division 3 of the Labor Code.

5     ~~(t)~~

6     (s) A public health department or district that is managed by the  
7 governing body of a county of the 15th class, as defined by  
8 Sections 28020 and 28036, as amended by Chapter 1204 of the  
9 Statutes of 1971.

10    ~~(u)~~

11    (t) A nonprofit corporation or association conducting an  
12 agricultural fair pursuant to Section 25905 may enter into a  
13 contract with the board for the participation of its employees as  
14 members of this system, upon obtaining a written advisory opinion  
15 from the United States Department of Labor as described in  
16 Section 20057.1. The nonprofit corporation or association shall be  
17 deemed a “public agency” only for this purpose.

18    ~~(v)~~

19    (u) An auxiliary organization established pursuant to Article  
20 2.5 (commencing with Section 69522) of Chapter 2 of Part 42 of  
21 the Education Code upon obtaining a written advisory opinion  
22 from the United States Department of Labor as described in  
23 Section 20057.1. The auxiliary organization is a “public agency”  
24 only for this purpose.

25    ~~(w)~~

26    (v) The Western Association of Schools and Colleges upon  
27 obtaining a written advisory opinion from the United States  
28 Department of Labor as described in Section 20057.1. The  
29 association shall be deemed a “public agency” only for this  
30 purpose.

31    (w) *The State Assistance Fund for Enterprise, Business, and*  
32 *Industrial Development Corporation upon obtaining a written*  
33 *advisory opinion from the United States Department of Labor as*  
34 *described in Section 20057.1.*

35    SEC. 25. *Section 24.5 of this bill incorporates amendments to*  
36 *Section 20057 of the Government Code proposed by both this bill*  
37 *and AB 1584. It shall only become operative if (1) both bills are*  
38 *enacted and become effective on or before January 1, 2004, but*  
39 *this bill becomes operative first, (2) each bill amends Section*  
40 *20057 of the Government Code, and (3) this bill is enacted after*

1 *AB 1584, in which case Section 20057 of the Government Code,*  
2 *as amended by Section 24 of this bill, shall remain operative only*  
3 *until the operative date of AB 1584, at which time Section 24.5 of*  
4 *this bill shall become operative.*

5 *SEC. 26.* This act is an urgency statute necessary for the  
6 immediate preservation of the public peace, health, or safety  
7 within the meaning of Article IV of the Constitution and shall go  
8 into immediate effect. The facts constituting the necessity are:

9 In order for the provisions of this act to take effect as soon as  
10 possible, it is necessary that this act take effect immediately.

